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C O N F I D E N T I A L YEREVAN 002083

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SUBJECT: USG NEXT STEPS FOLLOWING A "MARRED" CONSTITUTIONAL REFERENDUM

REF: A) YEREVAN 2074 B) YEREVAN 2062

Classified By: Amb. John M. Evans for reasons 1.4 (b, d).

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DISAPPOINTED BUT NOT WILLING TO THROW IN THE TOWEL  
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1. (C) Despite what Council of Europe (CoE) observers are calling a "marred" referendum and considerable NGO and opposition concern about alleged voting irregularities (ref A), we expect that the CoE will simply move forward and quietly embrace the new constitution that it helped draft. World Bank Resident Representative Roger Robinson told us November 29 that "sometimes you get something good out of bad events;" we expect that the rest of the international community will feel the same, and in fact, the Czech who led the CoE observer team made a similar comment.

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MAKING LEMONADE--OUR STEPS AHEAD  
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2. (C) While we called publicly for a referendum that met international standards and have now joined calls for investigation of the allegations of fraud, the continued voting abuses only highlight the serious need for our proposed Democracy Promotion Strategy (ref B). Specifically, we expect that our assistance, targeted at the upcoming 2007/2008 electoral cycle has a better-than-even chance of improving the voters' lists, creating a better election administration, improving electoral adjudication and the judiciary, encouraging voter participation and enhancing voter information, developing reliable, objective public opinion polling, developing stronger political parties, continuing the fight against corruption, building a larger role for an independent media, and enhancing monitoring and involving the international community. President Kocharian endorsed our package of measures in September, when we previewed it with him, and he is now in his second (and last) term of office. This may provide a better context for making progress than would be the case if he were seeking re-election. But because Kocharian is no democrat at heart, we also believe that our program of pro-democracy interventions will need to be complemented by diplomatic and public diplomacy pressure at every step of the way.

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POSSIBLE PITFALLS  
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3. (C) If the GOAM can keep from overreacting as the opposition mounts (what have been to date only lackadaisical) protests, then we have the possibility to work with them and to move forward. While preliminary indications are not uniformly positive (opposition groups report a number of detentions, although no formal arrests, in conjunction with this week's protests), we do not expect the GOAM to deliberately add fuel to the opposition's barely smoldering fire. We believe that our only option, after expressing our disappointment, is to continue working to move Armenia closer to the democratic, western-looking camp.  
EVANS